

**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
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**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER**

<b>Decision Order Number:</b> 1357	<b>Date of Decision:</b> 14-Oct-2021
<b>Register Reference:</b> SD21A/0232	<b>Registration Date:</b> 20-Aug-2021

**Applicant:** Luxcare Limited

**Development:** 3-4 storey nursing home building to consist of 111 bedrooms (with ensuite) and associated staff and resident welfare facilities, amenities and including extensive landscaped gardens. The protection and preservation of Newbrook House (a protected structure-Ref No 300) and incorporation with the construction of the new 3-4 storey nursing home. Formation of new vehicular access and pedestrian site access off Taylors Lane and associated landscaping works. Communal open space as well as other facilities open to the public such as hair salon, function suite and cinema. Provision of 18 parking spaces including 2 accessible spaces and 2 EV charging bays to service the nursing home. 24 short and long stay cycle parking spaces. 5 new 3 storey dwellings with associated parking landscaping and services.

**Location:** Lands to the south of Taylor's Lane, Ballyboden within the curtilage of Newbrook House

**Application Type:** Permission

Dear Sir /Madam,

With reference to your planning application, received on 20-Aug-2021 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

1. The SDCC Architectural Conservation Officer requests that the following items be submitted:
  - (a) It is considered that a Schedule of Works and Method Statement is required detailing the level of repair, conservation and new elements as part of the proposed works required to ensure the sensitive reuse of the Protected Structure as part of the proposed Care Home. It is proposed to replace the original windows, this is deemed unacceptable and the applicant should be reminded that all original architectural features should be repaired and any replacement of features will have to be justified and replacement 'like with like' will only be acceptable if deemed necessary.

The Method Statement should include specifications for all repair and conservation works and any replacement where necessary that is deemed to be completely beyond repair should be clearly provided. Where any replacement features/elements are considered justified, this should be clearly identified and details provided with regard to design, profile and materials.
  - (b) Safety measures should be put in place during the proposed works on site. A Safety Statement should be provided detailing how the existing structure will be protected during the proposed site works. A safety statement should be submitted as part of the Method Statement for the Protected Structure. Appropriate measures should be detailed with regard to safeguarding and protection of the Protected Structure and all associated architectural features.
  - (c)
    - (i) Details of the proposed glazed link from Newbrook House (Protected Structure Ref. 300) to the new Care Home building should be provided. Specifications on how the glazed link will be inserted and the required works to the original built fabric of the protected structure at this location should be fully detailed.
    - (ii) Details of the proposed front glazed entrance to Newbrook House (Protected Structure, Ref. 300) should be provided along with specifications for this element and its insertion and the required work to the original built fabric at this location in detailing minimal intervention and justification for the insertion of this new element and design ethos to support same.

It is considered that not enough detail has been provided for the two proposed new elements above. Detailed drawings showing how these elements will be inserted and abut the original fabric have not been provided along with specifications for the fixings and materials etc. All new works that directly impact on the original built fabric of the Protected Structure needs to be detailed and provided as part of a Schedule of Works and Method Statement along with design detail (including drawings and images) to include all new openings and new additions.
  - (d) As part of the overall design rationale details should include an Architectural Impact Assessment in identifying the overall visual and physical impacts on the Protected Structure (Newbrook House). It is considered that an Architectural Impact Assessment should be provided assessing the overall impacts of the proposed development within the curtilage of the Protected Structure and in particular assessing how the new elements which impact directly on the original built fabric will be carried adhering to minimal intervention and best conservation and design practice.
  - (e) A photomontage should be included showing the front elevation and front site of the protected structure alongside the proposed new development. In particular the area where the Protected Structure links to the new build. A full front elevation image is required to show the Protected Structure in context with the overall development and proposed new landscaping and front entrance.
  - (f) A floor plan of what is proposed to the first floor of Newbrook House.

2. The applicant is advised that the SDCC Roads Department has serious reservations about traffic safety on Taylors Lane by reason of the provision of two entrances. The Roads Section recommends that one vehicular access be provided and requests the omission of the access at Circle K. It is the view of the Planning Department that the applicant be afforded the opportunity to address the concerns and demonstrate, if possible, that the two entrance approach will not create a traffic hazard.
3. The Planning Authority has concerns regarding the design of the proposed nursing home. In this regard the applicant is requested to submit the following information:
  - (a) The CGIs provided as part of the application are not considered sufficient to analyse the full visual impact of the proposal on the surrounding environment. There would also be part of a gable end of the rear element of the building facing Taylor's Lane, which is not desirable. The applicant is requested to submit additional CGIs taken further back from the site on Taylor's Lane. A contextual elevational drawing of the site along Taylor's Lane should also be submitted. The applicant is also requested to revise the proposed front building line, boundary position and design of the proposal facing Taylor's Lane (to address the gable end) in order to provide an increased public footpath of c2m and to reduce the visual prominence of the front of the building.
  - (b) The development description states that there would be facilities open to the public such as hair salon, function suite and cinema. The proposed 24 sq.m cinema is located within the Level 0 of the proposed nursing home and the approx. 79.4sq.m dining/function suite would be at ground floor. It appears that if these uses were to be open to the public the only access is internally within the nursing home. The Planning Authority has concerns in regard to the accessibility of these uses. Within Newbrook House would be an approx. 35.7sq.m hair salon. The applicant is requested to clarify whether these uses are open to the public and if so how they would appropriately operate. The longevity of the uses within Newbrook House should be ensured as much as possible to promote its active reuse. Depending on the openness of the proposed uses to the public the applicant is requested to address car and bicycle parking provision for these as appropriate.
  - (c) The applicant is requested to confirm if the proposed areas of the nursing home comply with the relevant space requirements in regard to nursing homes.
4. The Planning Authority requests the following information in regard to the proposed five dwellings onsite:
  - (a) There would be a blank side elevation facing nursing home. This is not considered visually acceptable and dual frontage should be provided for given its visibility within the site. The applicant is requested to submit revised drawings showing a redesign of this elevation to improve its visual impact.
  - (b) Further information is required in regard to the size of the rear gardens, boundary treatments between these and whether sufficient internal storage can be provided. A schedule demonstrating compliance with the standards of the County Development Plan shall be submitted.
  - (c) A greater setback distance between the proposed dwellings and existing dwellings at Palmer Park is required in compliance with the County Development Plan. The proposed dwellings would have two storeys with front and rear dormer projections at second floor level. A minimum separation distance of 22 m is therefore requested.
  - (d) It is not clear if the proposed dwellings would be associated with the nursing home in any way. The applicant is requested to clarify this and the proposed tenure for the houses. Depending on how the proposed dwellings relate to the nursing home further information is required on how the two uses

would interface on the site. It should be clarified what access those living in or visiting the dwellings would have to the remainder of the site, in particular amenity areas.

5. The applicant is requested to submit:
  - (a) cross sections to include the adjoining dwellings to the north, south and west. The cross sections should outline the existing ground levels on adjacent property and show the proposed and existing levels for the subject site.
  - (b) a more comprehensive site layout plan that fully shows the adjacent dwellings on all sides. The site plan should detail the separation distances of the proposed development from the existing buildings.
6. The applicant is requested to submit a revised landscape plan and proposal that includes the following:
  - (a) A provision of 10% public open space on the site. The accessibility of open spaces should be clearly identified in terms of private, semi-private or public.
  - (b) The landscape plan should be revised to reflect the recommendations and mitigation measures of the Bat Survey report and Ecological Impact Assessment, particularly in regard to the retention of mature trees along the southern boundary for foraging bats. A tree survey and arboricultural impact assessment should be submitted and any recommendations from this assessment incorporated in the proposals.
  - (c) A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. The applicant shall demonstrate through information and a drawing how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
7. The SDCC Roads Department requests the following items:
  - (a) The applicant shall submit a revised layout, showing a detailed design of the vehicular access points at north western corner of the site onto 'Taylor's Lane' road, including a swept path analysis showing how Emergency Vehicles can access egress the proposed site from the main road.
  - (b) The applicant is advised that the Planning Authority considers there is scope to increase the carparking to provide a total of up to 35 car parking spaces to cater for visitor, staff, residential homes parking requirements. (Note: 25 car parking spaces for care home and 10 car parking spaces for residential houses).
  - (c) The applicant shall submit a revised layout showing a redesign for the north western vehicular access as main access to the proposed development, the proposed design shall incorporate visibilities splay in both directions, and removal/relocating of the utility pole away from the access to a suitable location. The redesigned access shall incorporate a continuous pedestrian footpath along the frontage that connects the neighbouring footpaths.
  - (d) The applicant shall provide information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.
  - (e) The applicant shall submit revised layout showing covered/sheltered surface bicycle parking spaces. Any shelter structure to the bicycle parking spaces located to the front of Newbrook House should have full cognisance of any impact on the Protected Structure. Any changes to vehicular accesses should consider access to internal bicycle storage.

- (f) The applicant shall submit detailed retaining walls designs for the proposed development.
8. Insufficient information has been provided in regard to the proposed watercourse (mill race) running through the site. The SDCC Water Services section requests the following further information:
- (a) It is unclear what quantities of water flow through Mill Race passing through Site. The applicant is requested to submit a report showing a hydrological assessment and flow details in dry and wet periods for the site Mill Race.
  - (b) A drawing showing what areas upstream of site are draining to existing Mill Race passing through site.
  - (c) Detail demonstrating that the proposed channel diverting mill race would have a setback distance of 10m from proposed development to edge of channel. Proposed culvert setback distance would require a 6m setback distance from outside diameter of 1m diameter culvert to proposed development.
  - (d) Right angle bends of diverted surface water channel removed and replaced with 45 degree bends.
  - (e) A report showing surface water attenuation calculations for proposed development. The report should show:
    - The surface water attenuation required in m<sup>3</sup>
    - The surface water attenuation provided in m<sup>3</sup>
    - The site area in Ha or m<sup>2</sup>
    - The area in m<sup>2</sup> of each surface type such as buildings, green roofs if any , roads pathways, permeable paving, green areas and their respective run off coefficients.
    - Qbar rate in litres/ second for the site.
  - (f) drawing showing a cross section of area between proposed building and proposed surface water channel.
  - (g) drawing showing the location of surface water attenuation systems and their surface water attenuation capacity in m<sup>3</sup>.
9. The applicant is requested to submit a pre-connection enquiry with Irish Water in regard to water supply and foul water connections. The applicant is requested to obtain and submit a letter of confirmation of feasibility from Irish Water for the proposed development.
10. The ownership of the subject site has been queried. A letter of consent was submitted with the application. However, the applicant is requested to clarify the ownership of the site and consent to submit the application. It is noted that, in any event, under Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.
11. The existing buildings on the site, aside from Newbrook House, are proposed for demolition. Plans and elevations of these buildings have not been provided. The development description does not specify the demolition of the existing buildings. The applicant is requested to revise and advertise statutory notices to include the demolition of buildings. Floor plans and elevational drawings of the existing buildings for demolition are requested.

**NOTE:** The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

**Note:** The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period the planning authority shall declare the application to be withdrawn.

**Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked "ADDITIONAL INFORMATION" and that the Planning Register Reference Number given above is quoted on the covering letter.**

Signed on behalf of South Dublin County Council

**Register Reference:** SD21A/0232

**Date:** 15-Oct-2021

Yours faithfully,

  
for **Senior Planner**